

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
WHEELING DIVISION

STEVEN RATTAY, and SHARON :
RATTAY, his wife,

Plaintiffs,

VS.

MEDTRONIC, INC., individually and t/d/b/a
MEDTRONIC NEUROLOGICAL,

Defendants.

CIVIL ACTION NO: 5:05-CV-177
(Chief Judge Irene M. Keeley)

STIPULATION OF VOLUNTARY DISMISSAL

To the Clerk of the United States District Court for the Northern District of West Virginia:

Pursuant to F.R.C.P. 41(a)(1), and the resolution of all issues in dispute between the parties, the parties hereby stipulate to voluntarily dismiss this action with prejudice, by consent of all parties. All parties are to bear their own costs.

Respectfully submitted,

SHENDEROVICH SHENDEROVICH
& FISHMAN, P.C.

By: /s/ Craig L. Fishman, Esquire
Craig L. Fishman, Esquire
Attorney for Plaintiffs
W.V. Bar ID #10216

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Suite 1600
Pittsburgh, PA 15219
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Consented to:

/s/ David D. Johnson, III, Esquire
David D. Johnson, III, Esquire
Counsel for all Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STIPULATION OF VOLUNTARY DISMISSAL was electronically served on this 12th day of September, 2007, by the Clerk of the Northern District of West Virginia on the following:

David D. Johnson, III, Esquire
Winter Johnson & Hill, P.L.L.C.
P.O. Box 2187
Charleston, WV 25328

Tom Parker, Esquire
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388 South Main Street
Suite 402
Akron, OH 44311

Respectfully submitted,

SHENDEROVICH SHENDEROVICH
& FISHMAN, P.C.

By: /s/ Craig L. Fishman, Esquire
Craig L. Fishman, Esquire
Attorney for Plaintiffs
W.V. Bar ID #10216

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